

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

OPTIS WIRELESS TECHNOLOGY, LLC,
OPTIS CELLULAR TECHNOLOGY, LLC,
UNWIRED PLANET, LLC, UNWIRED
PLANET INTERNATIONAL LIMITED,
AND PANOPTIS PATENT MANAGEMENT,
LLC,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Civil Action No. 2:19-cv-66-JRG

JURY TRIAL

**PLAINTIFFS' MOTION FOR CALCULATION OF PREJUDGMENT AND
POST-JUDGMENT INTEREST**

Plaintiffs respectfully request that the Court grant Plaintiffs' calculation of prejudgment and post-judgment interest through the date of this motion.

On February 25, 2021, this Court entered judgment in Plaintiffs' favor. Dkt. 544. In so doing, the Court awarded Plaintiffs prejudgment and post-judgment interest. *Id.* at ¶¶ 6, 7. Prejudgment interest is to be calculated as "applicable to all sums awarded herein, calculated at the 5-year U.S. Treasury Bill rate, compounded quarterly, from the date of infringement through the date of entry of this Judgment." The jury awarded damages of \$506,200,000. Dkt. 483. Plaintiffs sought damages for Apple's infringement beginning with the filing of the complaint, February 25, 2019. Exhibit 1 to this motion calculates prejudgment interest based on the Court's guidance. Based on this calculation, Plaintiffs request prejudgment interest of \$25,659,162. Ex. 1 at Table 2.

The Court also awarded post-judgment interest "applicable to all sums awarded herein, at the statutory rate, from the date of entry of this Judgment until paid." Exhibit 1 calculates post-judgment interest from February 26, 2021 through March 25, 2021, based on the entire damages award and prejudgment interest, and at the statutory rate of equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding. 28 U.S.C. 1961(a). Based on this calculation, Plaintiffs request post-judgment interest on the jury's award of \$28,560 through the filing of this motion on March 25, 2021, *see* Ex. 1 at Table 4, and \$1,020 each day thereafter, *see* Ex. 1 at Table 3.

Counsel for the parties met and conferred regarding this motion. Counsel for Apple stated that Apple opposes the calculation of prejudgment and post-judgment interest at this time on the same grounds that will be set forth in its motions for judgment as a matter of law and motion for a new trial.

Dated: March 25, 2021

Respectfully submitted,

/s/ Jason Sheasby

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served via the Court's ECF system on all counsel of record on March 25, 2021.

/s/ Jason Sheasby
Jason Sheasby

CERTIFICATE OF CONFERENCE

Counsel for the parties have discussed this motion by phone in an effort to resolve their differences. Those discussions have ended in impasse. This motion is opposed by Apple.

/s/ Jason Sheasby
Jason Sheasby